



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
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BOSTON, MASSACHUSETTS 02114-2023

N62661 AR 001647
NAVSTA NEWPORT RI
5090.3a

June 10, 2003

received
06-13-03

Franco LaGreca
U.S. Department of the Navy
Naval Facilities Engineering Command
Northern Division
10 Industrial Highway
Code 1823, Mail Stop 82
Lester, PA 19113-2090

Re: Fact Sheet for the Soil Cleanup at the Old Fire Fighting Training Area

Dear Mr. LaGreca:

Thank you for the opportunity to review the *Fact Sheet for the Soil Cleanup at the Old Fire Fighting Training Area*. Detailed comments are provided in Attachment A.

EPA strongly recommends that the *Fact Sheet for the Soil Cleanup at the Old Fire Fighting Training Area* solely discuss the soil component. As you know, many disagreements remain about how to best address the sediments at the site. EPA continues to believe that the Navy's proposed remedy for the sediments offshore of the Old Fire Fighting Training Area is not protective of human health and the environment. It is premature to discuss the issue in the context of the soil removal action. Many outstanding issues remain unresolved. These issues include: 1) the enforceability and effectiveness of the no swimming zone; 2) the enforceability and effectiveness of the fishing ban; 3) data to demonstrate a clear and meaningful trend of decreasing contaminant mass, concentration, or toxicity in sediments over time; 4) the time required for sediments to reach cleanup goals via natural processes; 5) historical information concerning the frequency and severity of disruptive events and human-caused disturbances; 6) data that directly demonstrate the occurrence of a particular attenuating process at the site and its ability to degrade the contaminants of concern; 7) sediment bed stability; and 8) consistency with EPA regulations and guidance. As you are well aware, EPA continues to disagree that the soil excavation will address contamination in the sediments and groundwater.

I look forward to working with you and the Rhode Island Department of Environmental Management toward the cleanup of the Old Fire Fighting Training Area. Please do not hesitate to contact me at (617) 918-1385 should you have any questions or wish to arrange a meeting.

Sincerely,

Kimberlee Keckler, Acting Chief
Federal Facilities Superfund Section

2009

Attachment

cc: Paul Kulpa, RIDEM, Providence, RI
Cornelia Mueller, NETC, Newport, RI
David Peterson, USEPA, Boston, MA

ATTACHMENT A

<u>Page</u>	<u>Comment</u>
p. 1, left box	Under "The Cleanup Proposal..." discuss only the proposed soil removal action. Remove the last two bullets.
p. 3, left column	Add a last bullet: "Restrict access to the contaminated shoreline and sediments." Assuming that access will be allowed onto the newly cleaned up soil area, add a bullet describing the re-positioning of the existing fence.
p. 3, left box	Please explain why the noise is limited to the spring and summer months. Please also explain the basis for the two-year period as this is in direct conflict with the Navy's Feasibility Study for this remedy that estimates a four to 6 month period.
p. 3, right column	Please delete this column (number 2). It is not relevant to the soil excavation plans.
p. 4, left column	In this section, only discuss the risk from soil -the risks attributable to sediment and groundwater are not relevant to the soil action presented in this Fact Sheet.
p. 4, left box	Please delete the last two bullets in this box. They are not relevant to the soil excavation plans.
p. 4, right box	Delete the last sentence under the "2002" heading, since EPA and the State have not concurred on the findings of the forensic studies cited and have documented this in writing.
p. 5, left box	<p>Replace the second sentence of the third bullet with: "This includes fencing the shoreline to prevent access to the contaminated sediments in the nearshore and off-shore area and land use restrictions under Superfund that limit exposure to contaminated groundwater."</p> <p>In the third paragraph change "...are deemed adequate to provide additional protection..." to "...are the current measures in effect..."</p> <p>In the fourth paragraph, note that the Rhode Island Department of Environmental Management does not have an approved Comprehensive State Groundwater Implementation Plan. As a result, the federal standards must be met at the site.</p>
p. 6, right box	Please delete this column (Groundwater alternatives). It is not relevant to the soil excavation plans.

- p. 7, left column Please delete this column (Sediment alternatives). It is not relevant to the soil excavation plans.
- p. 7, upper right box What is the basis for the three criteria "required by CERCLA?" The response authority for removals is under Section 104(a)(2) of CERCLA, 42 U.S.C. §9404(a)(2). Under the NCP, removal actions fall are governed by 40 C.F.R. §300.415. Neither of these cite the Navy's three criteria.
- p. 7, lower right box Replace the "Is this the Final Action" paragraph with the following:

 "The proposed effort is an interim removal action that will contribute to the efficient performance of the long-term remedial action at the site as required by Section 104(a)(2) of CERCLA. Risks from contaminated groundwater and sediments still need to be addressed. A final remedy for the entire site will be proposed to the public, as required by Superfund, before being selected."
- Table 1 See comment for page 7, upper right box regarding the criteria that need to be addressed in evaluating removal alternatives and the comment for page 3, left box regarding the time required to complete the cleanup action.
- Table 2 Please delete this Table. It is not relevant to the soil excavation plans.
- Table 3 Please delete this Table. It is not relevant to the soil excavation plans.